

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**JOHNNY W. KOLANDER,**

**Plaintiff,**

**v.**

**COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,**

**Defendant.**

**Case No. 20-CV-445-JFH-KEW**

**ORDER**

Before the Court is the Report and Recommendation [Dkt. No. 27] of United States Magistrate Judge Kimberly E. West reviewing Plaintiff's Application for an Award of Attorney's Fees under the Equal Access to Justice Act [Dkt. No. 23] and Plaintiff's Application for Reimbursement of Cost and/or Expenses under the Equal Access to Justice Act [Dkt. No. 24] (collectively "Plaintiff's Applications"). Magistrate Judge West recommends the Applications be granted. Dkt. No. 27.

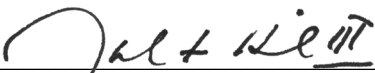
Neither party objected to Magistrate Judge West's Report and Recommendation within the 14-day period prescribed by 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b). Having reviewed the Report and Recommendation, the Court concurs with Magistrate Judge West's recommendation, and accepts and adopts it as the order of the Court. On that basis, the Court finds that Plaintiff's Applications [Dkt. No. 23; Dkt. No. 24] are **GRANTED**.

**IT IS THEREFORE ORDERED** that the Government shall pay Plaintiff's attorney's fees in the amount of \$4,776.40 and costs in the amount of \$402.00.

**IT IS FURTHER ORDERED** that the award shall be made to Plaintiff as the prevailing party and not directly to Plaintiff's counsel. Further, should Plaintiff's counsel ultimately be

awarded attorney's fees pursuant to 42 U.S.C. § 406(b)(1), counsel shall refund the smaller amount to Plaintiff.

DATED this 3<sup>rd</sup> day of January 2022.

  
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JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE